

In the City Council
City of Lodi
Lodi, California

ORIGINAL

ORDINANCE NO. 436

PROVIDING FOR THE CARE, RESTITUTION, SALE
AND DESTRUCTION OF UNCLAIMED PROPERTY BY
THE POLICE DEPARTMENT OF THE CITY OF LODI

The City Council of the City of Lodi does ordain as follows:

Section 1. Any unclaimed property in the custody of the Police Department of the City of Lodi shall be kept by said Department under lock and key in a place accessible only to authorized members of said Department for a period of at least six months from the date on which said property came into the custody of said Department. All such unclaimed property shall be tagged or otherwise marked to show date received and from whom or how received. A record shall also be maintained by the Police Department setting forth the above data, a description of the property and its disposition.

Section 2. At such times as the Chief of Police may determine necessary, so much of the unclaimed property in the custody of the Police Department which has been held for more than six months, shall be sold at public auction, the time and place of such sale to be published at least five days before the sale, in the newspaper of general circulation to which the City Council has awarded the contract for publication of legal notices required by law to be published in a newspaper of

general circulation. The auction may be held and conducted by the Chief of Police or by any person selected by him to conduct the same. Sales must be for cash, at least 10% of the amount bid deposited with the bid, the balance to be paid on delivery of the article or articles sold, All sales are final with no right of sedemption unless specifically provided by law. The Chief of Police, or the person designated by him may give the buyer a bill of sale describing the article sold, the amount paid and the date of sale. All moneys received as proceeds of the sale shall be deposited with the City Treasurer to the credit of the general fund of the City.

Section 3, All unclaimed property in the custody of the Police Department is subject to redemption, before **its** sale as provided in Section 2 hereof, by **its** legal owner or his authorized representative, upon proof of ownership and proper identification.

Section 4. Unclaimed property of no monetary value may be destroyed by the Chief of Police with consent of the City Manager. Perishable property may be sold without notice and the proceeds thereof held for the benefit of the legal owner for at least six months, when, if said proceeds are unclaimed, they shall be paid into the City Treasury as in the case of sales of other property.

The owner of any property coming into the custody of the Police Department as unclaimed may be assessed a reasonable charge for the safekeeping thereof, If **it** be necessary that the same be placed for safekeeping in a warehouse, the owner

shall be liable for the total amount of the storage charges thereon and the cost of transportation to said warehouse.

The provisions of this ordinance shall not apply to finders of lost property who have complied with the provisions of Section 1865 to 1871 inclusive of the Civil Code of this State,

Section 5. This ordinance shall be published one time in The Lodi Times and shall take effect at the time provided by law,

APPROVED this 20th day of December, 1950

Attest:

J. F. Blakely
City Clerk

W. J. Toliver
Mayor

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I, J. F. BLAKELY, City Clerk of the City of Lodi, do hereby certify that the foregoing Ordinance No. 436 was introduced in regular meeting of the City Council of said City held December 6, 1950 and was, thereafter, on the 20th day of December 20, 1950, passed, adopted and ordered to print by the following vote:

AYES: Councilmen, Bull, Haskell, Preszler, Rinn and Toliver

WOES: Councilmen, None

ABSENT: Councilmen, NONE

I FURTHER CERTIFY that Ordinance No. 436 was approved and signed by the Mayor on the date of its final passage and that the same has been published pursuant to law.

December 22, 1950

J. F. Blakely
City Clerk